

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

An assignment from DWORZAK Christoph, Molzgasse 10, CH- 2502 Biel to NESTEC S.A., dated 01.10.1990

An assignment from MOCK Elmar, Rue Haute 23, CH - 2013 Colombier to NESTEC S.A., dated 15.11.2001

An assignment from KLOPFENSTEIN André, Chemin de Rondans 37a, CH-2520 LA NEUVEVILLE to NESTEC S.A., dated 15.11.2001

An assignment from RUSCH Christoph, Alpenstrasse 59, CH - 2502 Biel to NESTEC S.A., dated 01.05.2000

An assignment from BITMEAD Naomi, Brüggbühlstrasse 101, CH - 3172 Niderwangen b. Berne to NESTEC S.A., dated 15.11.2001

An assignment from YOAKIM Alfred, Ch. de la Routiaz 2, CH-1806 ST-LEGIER-LA CHIESAZ to NESTEC S.A., dated 01.10.1986

An assignment from OZANNE Matthieu, Route du Simplon 31, CH - 1094 PAUDEX to NESTEC S.A., dated 01.06.2003

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. EP 03026792.6 by virtue of the following :

An assignment from DWORZAK Christoph NESTEC S.A., dated 01.10.1990

An assignment from MOCK Elmar to NESTEC S.A., dated 15.11.2001

An assignment from KLOPFENSTEIN André to NESTEC S.A., dated 15.11.2001

An assignment from RUSCH Christoph to NESTEC S.A., dated 01.05.2000

An assignment from BITMEAD Naomi to NESTEC S.A., dated 15.11.2001

An assignment from YOAKIM Alfred to NESTEC S.A., dated 01.10.1986

An assignment from OZANNE Matthieu to NESTEC S.A., dated 01.06.2003

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

An assignment from DWORZAK Christoph, Molzgasse 10, CH- 2502 Biel to NESTEC S.A., dated 01.10.1990

An assignment from MOCK Elmar, Rue Haute 23, CH - 2013 Colombier to NESTEC S.A., dated 15.11.2001

An assignment from KLOPFENSTEIN André, Chemin de Rondans 37a, CH-2520 LA NEUVEVILLE to NESTEC S.A., dated 15.11.2001

An assignment from RUSCH Christoph, Alpenstrasse 59, CH - 2502 Biel to NESTEC S.A., dated 01.05.2000

An assignment from BITMEAD Naomi, Brüggbühlstrasse 101, CH - 3172 Niderwangen b. Berne to NESTEC S.A., dated 15.11.2001

An assignment from YOAKIM Alfred, Ch. de la Routiaz 2, CH-1806 ST-LEGIER-LA CHIESAZ to NESTEC S.A., dated 01.10.1986

An assignment from OZANNE Matthieu, Route du Simplon 31, CH - 1094 PAUDEX to NESTEC S.A., dated 01.06.2003

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
 The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: EP 03026792.6 dated 22.11.2003

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: DWORZAK Christoph

Residence: CH- 2502 Biel

(city and either US state, if applicable, or country)

Mailing Address: Molzgasse 10

CH- 2502 Biel

Citizenship: Switzerland

Inventor's Signature:  X
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 19. November. 2004 X
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: MOCK Elmar

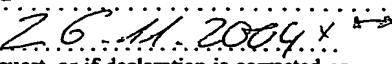
Residence: CH - 2013 Colombier

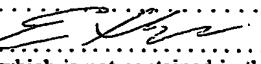
(city and either US state, if applicable, or country)

Mailing Address: Rue Haute 23

CH - 2013 Colombier

Citizenship: Switzerland

Inventor's Signature:  X
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date:  X
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

Continuation of Box No. VIII(iv) Declaration : Inventorship

Name : KLOPFENSTEIN André

Residence : CH-2520 LA NEUVEVILLE

Mailing address : Chemin de Rondans 37a
CH-2520 LA NEUVEVILLE

Citizenship : Switzerland

Inventor's Signature : Date :

Name : RUSCH Christoph

Residence : CH - 2502 Biel

Mailing address : Alpenstrasse 59
CH - 2502 Biel

Citizenship : Switzerland

Inventor's Signature : Date :

Name : BITMEAD Naomi

Residence : CH - 3172 Niderwangen b. Berne

Mailing address : Brüggbühlstrasse 101
CH - 3172 Niderwangen b. Berne

Citizenship : Australia

Inventor's Signature : Date :

Name : YOAKIM Alfred

Residence : CH-1806 ST-LEGIER-LA CHIESAZ

Mailing address : Ch. de la Routiaz 2
CH-1806 ST-LEGIER-LA CHIESAZ

Citizenship : Switzerland

Inventor's Signature : Date : May 11th 2004

Name : OZANNE Matthieu

Residence : CH - 1094 PAUDEX

Mailing address : Route du Simplon 31
CH - 1094 PAUDEX

Citizenship : France

Inventor's Signature : Date : 15/4/2004

Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

Continuation of Box No. VIII(iv) Declaration : Inventorship

Name : KLOPFENSTEIN André

Residence : CH-2520 LA NEUVEVILLE

Mailing address : Chemin de Rondans 37a
CH-2520 LA NEUVEVILLE

Citizenship : Switzerland

Inventor's Signature :  Date : 26.11.04

Name : RUSCH Christoph

Residence : CH - 2502 Biel

Mailing address : Alpenstrasse 59
CH - 2502 Biel

Citizenship : Switzerland

Inventor's Signature :  Date : 24.11.2004

Name : BITMEAD Naomi

Residence : CH - 3172 Niderwangen b. Berne

Mailing address : Brüggbühlstrasse 101
CH - 3172 Niderwangen b. Berne

Citizenship : Australia

Inventor's Signature :  Date : 19.Nov.2004

Name : YOAKIM Alfred

Residence : CH-1806 ST-LEGIER-LA CHIESAZ

Mailing address : Ch. de la Routiaz 2
CH-1806 ST-LEGIER-LA CHIESAZ

Citizenship : Switzerland

Inventor's Signature : Date :

Name : OZANNE Matthieu

Residence : CH - 1094 PAUDEX

Mailing address : Route du Simplon 31
CH - 1094 PAUDEX

Citizenship : France

Inventor's Signature : Date :